

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. CV-25-02928-AGR Date: June 18, 2025

Title Mary Elizabeth Wade v. Casa Azul Cantina LLC.

Present: The Honorable: Alicia G. Rosenberg, United States Magistrate Judge

K. Lozada
Deputy Clerk

N/A
Court Reporter / Recorder

Attorneys Present for Plaintiffs:
N/A

Attorneys Present for Defendants:
N/A

Proceedings: (In Chambers) ORDER TO SHOW CAUSE WHY THIS ACTION SHOULD NOT BE DISMISSED FOR FAILURE TO PROSECUTE

Plaintiff filed a complaint against Defendant Casa Azul Cantina LLC on April 3, 2025. (Dkt. No. 1.) Plaintiff filed a proof of service indicating that Defendant was served with the complaint, summons and other documents on April 23, 2025. Accordingly, Defendant's response to the complaint was due on May 14, 2025. (Dkt. No. 8.) Defendant has not filed an answer or other response to the complaint.

To date, Plaintiff has not requested entry of default against Defendant and has not filed a motion for a default judgment. A court, on its own motion, may dismiss an action for failure to prosecute or comply with a court order. Fed. R. Civ. P. 41(b); *Link v. Wabash R.R.*, 370 U.S. 626, 629-31 (1962); *Wolff v. California*, 318 F.R.D. 627, 630 (C.D. Cal. 2015). A plaintiff must prosecute the action with reasonable diligence. *Anderson v. Air West, Inc.*, 542 F.2d 522, 524 (9th Cir. 1976). It appears Plaintiff may be failing to prosecute with reasonable diligence by failing to request entry of default against Defendant.

IT IS THEREFORE ORDERED, on the Court's own motion, that Plaintiff request entry of default or show cause in writing why she has not requested entry of default on or before ***July 18, 2025***.

Plaintiff is expressly warned that that failure to timely request entry of default or timely respond to this Order will result in this action being dismissed without prejudice

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against the Defendant for failure to prosecute and/or comply with court orders. Fed. R.
Civ. P. 41(b).

Initials of Preparer kl